

Attorney Docket No.: 42390P12386

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

W. MACY, ET AL.

Application No.: 09/945,422

Filed: August 31, 2001

For: **AN APPARATUS AND METHOD FOR
LOADING A DATA STORAGE DEVICE WITH
A PLURALITY OF RANDOMLY LOCATED
DATA**

Assistant Commissioner for Patents
Attention: Box Missing Parts
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

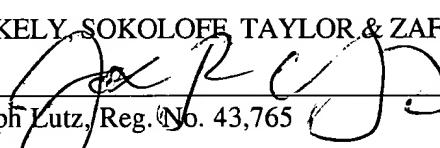
In response to the Notice to File Missing Parts of Application mailed October 5, 2001, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application;
- (2) a check in the amount of \$130.00 in payment of the surcharge of 37 CFR § 1.16(e); and
- (3) a copy of the Notice to File Missing Parts of Application.

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of the Fee Transmittal is enclosed for deposit account charging purposes.

Respectfully submitted,

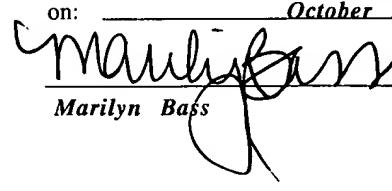
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN


Joseph Lutz, Reg. No. 43,765

Dated: October 26, 2001

12400 Wilshire Blvd., 7th Floor
Los Angeles, California 90025
Telephone: (310) 207-3800

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Attention: Box Missing Parts, Washington, D.C. 20231 on: October 26, 2001


Marilyn Bass

10/26/01

Date

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(PATENT & TRADEMARK OFFICE for all correspondence after initial filing)

Total Number of Pages in This Submission

9

Application Number	09/945,422
Filing Date	August 31, 2001
First Named Inventor	William W. Macy
Group Art Unit	TBA
Examiner Name	TBA
Total Number of Pages in This Submission	Attorney Docket Number
9	42390P12386

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

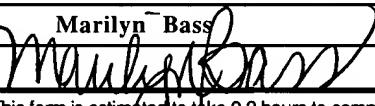
Remarks

Response includes: Response to Notice to File Missing Parts (1 pg), Declaration/Power of Attorney (4 pgs), Copy of Notice to File Missing Parts (1 pg)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Joseph Lutz, Reg. No. 43,765 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
Signature	
Date	October 26, 2001

CERTIFICATE OF MAILING (OR TRANSMISSION)I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: **October 26, 2001**

Typed or printed name	Marilyn Bass
Signature	
Date	10/26/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



FEET TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

130.00

Complete if Known

Application Number	09/945,422
Filing Date	08/31/01
First Named Inventor	William W. Macy, et al.
Examiner Name	TBA
Group Art Unit	TBA
Attorney Docket Number	42390P12386

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number

Deposit Account Name

Charge Any Additional Fee Required Under 37CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Money Order Other

FEE CALCULATION

1. FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	<input type="text"/>
106	330	206	165	Design filing fee	<input type="text"/>
107	510	207	255	Plant filing fee	<input type="text"/>
108	740	208	370	Reissue filing fee	<input type="text"/>
114	160	214	80	Provisional filing fee	<input type="text"/>

SUBTOTAL (1) (\$)

2. CLAIMS

Total Claims	Independent Claims	Extra	Fee from below	Fee Paid
<input type="text" value="27"/>	<input type="text" value="3"/>	= <input type="text"/>	X <input type="text"/>	= <input type="text"/>
				= <input type="text"/>

Multiple Dependent Claims

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple Dependent claim
109	84	209	42	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

* or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEE

Large Entity	Small Entity	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath
127	50	227	25 Surcharge - late provisional filing fee or cover sheet
139	130	139	130 Non-English specification
147	2,520	147	2,520 For filing a request for ex parte reexamination
112	920	112	920 Requesting publication of SIR prior to Examiner action
113	1,840	113	1,840 Requesting publication of SIR after Examiner action
115	110	215	55 Extension for response within first month
116	400	216	200 Extension for response within second month
117	920	217	460 Extension for response within third month
118	1,440	218	720 Extension for response within fourth month
128	1,960	228	980 Extension for response within fifth month
119	320	219	160 Notice of Appeal
120	320	220	160 Filing a brief in support of an appeal
121	280	221	140 Request for oral hearing
138	1,510	138	1,510 Petition to institute a public use proceeding
140	110	240	55 Petition to revive - unavoidably
141	1,280	241	640 Petition to revive - unintentionally
142	1,280	242	640 Utility issue fee (or reissue)
143	460	243	230 Design issue fee
144	620	244	310 Plant issue fee
122	130	122	130 Petitions to the Commissioner
123	50	123	50 Petitions related to provisional applications
126	180	126	180 Submission of Information Disclosure Stmt
581	40	581	40 Recording each patent assignment per property (times number of properties)
146	740	246	370 Filing a submission after final rejection (37 CFR 1.129(a))
149	740	249	370 For each additional invention to be examined (37 CFR 1.129(b))
179	740	279	370 Request for Continued Examination (RCE)
169	900	169	900 Request for expedited examination of a design application

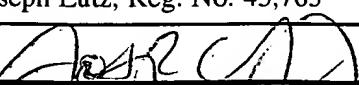
Other fee (specify) _____

SUBTOTAL (3) (\$)

130.00

* Reduced by Basic Filing Fee Paid

SUBMITTED BY

Typed or Printed Name	Joseph Lutz, Reg. No. 43,765			Complete (if applicable)
Signature		Date	10/26/2001	Reg. Number
				Deposit Account User ID
				02-2666

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/945,422	08/31/2001	William W. Macy	42390P12386

08791
 BLAKELY SOKOLOFF TAYLOR & ZAFMAN
 12400 WILSHIRE BOULEVARD, SEVENTH FLOOR
 LOS ANGELES, CA 90025

CONFIRMATION NO. 2683
FORMALITIES LETTER



OC000000006853534

Date Mailed: 10/05/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*


 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/03/2002 SMINASS1 00000078 09945422

01 FC:105

130.00 OP